

LOUDOUN COUNTY PLANNING COMMISSION

SUMMARY AGENDA

TUESDAY, JULY 21, 2015

6:00 PM PUBLIC HEARING

LOCATION: BOARD ROOM
1ST Floor, Govt. Center

The **LOUDOUN COUNTY PLANNING COMMISSION** will hold a public hearing in the Board of Supervisors' Meeting Room, County Government Center, 1 Harrison Street, S.E., Leesburg, Virginia, on **Tuesday, July 21, 2015**, at **6:00 p.m.** to consider the following:

ZRTD 2015-0003

ASHBURN NORTH EQUINIX

(Zoning Conversion in the Route 28 Tax District)

Equinix RP II, LLC, of Redwood City, California, has submitted an application to rezone approximately 44.43 acres from the PD-IP (Planned Development-Industrial Park) zoning district under the Revised 1993 Zoning Ordinance to the PD-IP (Planned Development-Industrial Park) zoning district under the Revised 1993 Zoning Ordinance in order to permit the development of all principal and accessory uses permitted in the PD-IP zoning district under the Revised 1993 Zoning Ordinance at a maximum Floor Area Ratio (FAR) of 0.60 (up to 1.0 by Special Exception). The subject property is located within the Route 28 Taxing District and within the AI (Airport Impact) Overlay District, between the Ldn 60-65 and outside of but within one (1) mile of the Ldn 60 aircraft noise contours, and located partially within the FOD (Floodplain Overlay District). The subject property is approximately 44.43 acres in size and is located on the west side of Loudoun County Parkway (Route 607), on the north side of the W&OD Trail, and south of Gloucester Parkway (Route 2150), in the Broad Run Election District. The subject property is more particularly described as Tax Map Number /80//13////C2/ (PIN# 060-20-9652). The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community) and Route 28 Corridor Plan), which designate this area for Route 28 Business uses at a recommended FAR of 0.4 to 1.0.

ZOAM 2015-0003

PROPOSED ZONING ORDINANCE AMENDMENT TO ESTABLISH NEW REGULATIONS AND DEFINITIONS, AND TO REVISE AND CLARIFY EXISTING REGULATIONS AND DEFINITIONS, IN REGARD TO THE FLOODPLAIN OVERLAY DISTRICT

(Zoning Ordinance Amendment)

Pursuant to Sections 15.2-2204, 15.2-2285, and 15.2-2286 of the Code of Virginia, a Resolution of Intent to Amend adopted by the Board of Supervisors on June 17, 2015, and the Code of Federal Regulations, Title 44, Sections 59.1 through 70.9, the Loudoun County Planning Commission hereby gives notice of proposed amendments to the Revised 1993 Loudoun County Zoning Ordinance ("Zoning Ordinance") in order to establish new, and revise, clarify, and or delete existing, regulations and definitions, in regard to the Floodplain Overlay District (FOD). The proposed amendments are intended to address concerns and deficiencies in regard to the conformance of the FOD's existing regulations with the requirements of the National Flood Insurance Program as identified by the Federal Emergency Management Agency (FEMA), and to add new Permitted and Special Exception uses and reduce existing requirements in regard to the establishment and/or expansion of certain uses in the FOD as recommended by the Zoning Ordinance Action Group (ZOAG). The amendments propose revisions to Section 4-1500 et seq., *FOD – Floodplain Overlay District*, Section 6-1000 et seq., *Zoning Permits*, Section 6-1603, *Unauthorized Variance*, Article 8, *Definitions*, and such other Articles, Sections, Subsections, and provisions of the Zoning Ordinance as necessary to implement and

maintain consistency with the foregoing amendments and to correct typographical errors and update references. The proposed text amendments include, without limitation, the following:

Description of Proposed Amendments to Section 4-1500 et seq., FOD - Floodplain Overlay District:

- Establish new, and clarify, revise, and/or delete existing, regulations in regard to Purpose and Intent.
- Add new, and update existing, Authority for FOD provisions.
- Establish new, and clarify, revise, and/or delete existing, Definitions specific to the FOD, to include, without limitation, "Alteration", "Base Flood", "Base Flood Elevation", "Basement", "Conditional Letter of Map Revision (CLOMR)", "Cross Section", "Development", "Elevated Building", "Flood or Flooding", "Flood Insurance Rate Map (FIRM)", "Flood Insurance Study (FIS)", "Floodplain", "Floodproofing", "Floodway", "Freeboard", "Historic Structure", "Hydrologic and Hydraulic Engineering Analysis", "Lowest Floor", "Manufactured Home", "New Construction", "Recreational Vehicle", "Road, Crossing of the Floodplain or Road Crossing", "Start of Construction", "Stormwater Management Improvements", "Structure", "Substantial Damage", "Substantial Improvement", "Utility Lines in the Floodplain", "Violation", and "Watercourse".
- Establish new, and clarify, revise, and/or delete existing, regulations in regard to Administration, to include, without limitation, designation of a Floodplain Administrator to administer and implement all FOD regulations, Duties and Responsibilities of the Floodplain Administrator, and basis for the Delineation of the FOD that shall be the Flood Insurance Study and Flood Insurance Rate Map prepared for Loudoun County by FEMA dated July 5, 2001, and subsequent revisions or amendments thereto approved by FEMA.
- Establish new, and clarify, revise, and/or delete existing, Permitted Uses in the FOD (Major Floodplain), subject to applicable regulations of Section 5-1000, *Scenic Creek Valley Buffer*, as follows:
 - Permitted Uses that shall not cause any increase in base flood elevation, to include, without limitation, the following:
 - Agriculture, horticulture, forestry, and fisheries, not requiring the erection of structures.
 - Stormwater management improvements associated with certain uses, subject to certain restrictions.
 - Repair, reconstruction or improvement of existing residences, subject to certain restrictions.
 - Parking areas accessory to certain uses, subject to certain restrictions.
 - Incidental structures associated with certain uses, subject to certain restrictions.
 - Temporary storage of material or equipment necessary in the construction of certain uses or structures, subject to certain restrictions.
 - Alterations of the floodplain associated with certain uses, subject to certain restrictions.
 - Restoration and rehabilitation of historic structures.
 - Public water utility drinking water supply reservoirs.
 - Maintenance of design conditions.
 - Flood mitigation practices, subject to certain restrictions.
 - Permitted Uses for which an increase in base flood elevation onsite may be permitted subject to certain FEMA and County approvals, to include, without limitation, the following:
 - Passive and Active Recreation Open Space Uses (except swimming pools), subject to certain restrictions.
 - Stormwater management improvements associated with certain uses, subject to certain restrictions.
 - Utility lines in the floodplain, road crossings, and driveways or private access easements serving up to two (2) lots, subject to certain restrictions.
 - Parking areas accessory to certain uses, subject to certain restrictions.
 - Storage areas for goods and materials that can and shall be relocated upon warning of an impending flood, accessory to certain uses, subject to certain restrictions.

- Stream enhancement and restoration; wetland enhancement, restoration, and creation; re-establishment, planting, and reforestation of riparian areas; and stream and wetland mitigation approved by applicable State and Federal agencies.
- Permitted Uses for which an increase in base flood elevation offsite may be permitted subject to certain FEMA and County approvals, to include, without limitation, the following:
 - Road crossings, subject to certain restrictions.
- Establish new, and clarify, revise, and/or delete existing, Permitted Uses in the FOD (Minor Floodplain), with or without an increase in base flood elevation, to include, without limitation, the following:
 - All Permitted uses in the FOD (Major Floodplain), except that increase in the base flood elevation in the FOD (Minor Floodplain) shall be permitted.
 - Alterations of the floodplain associated with certain uses, subject to certain restrictions.
 - Stormwater management improvements.
 - Ponds, subject to certain restrictions.
 - Basketball or tennis courts, and swimming pools.
 - Parking areas less than 5,000 square feet, subject to certain restrictions.
- Establish new, and clarify, revise, and/or delete existing, Minor Special Exception and/or Special Exception Uses in the FOD (Major or Minor Floodplain), subject to applicable regulations of Section 5-1000, *Scenic Creek Valley Buffer*, that shall not cause any increase in the base flood elevation of the Major Floodplain, to include, without limitation, the following:
 - Marinas, boat rentals, docks, piers, wharves, and water ski jump facilities, and certain incidental structures associated with such uses.
 - Carnivals, circuses and similar transient amusement enterprises.
 - Riding Stables.
 - Structures or uses required for the operation of a public utility, road crossings and stormwater management improvements not otherwise permitted in the FOD.
 - Roads and ponds in the Potomac River floodplain.
 - Incidental structures associated with certain uses, subject to certain restrictions.
 - Parking areas accessory to certain uses.
 - Storage areas for goods and materials that can and shall be relocated upon warning of an impending flood, accessory to certain uses.
 - Alterations of the floodplain associated with certain uses.
- Establish new, and clarify, revise, and/or delete existing, Standards for a Minor Special Exception and/or Special Exception, to apply to Minor Special Exception and/or Special Exception uses in the FOD.
- Establish new, and clarify, revise, and/or delete existing, FOD Development Procedures as follows:
 - Replace existing requirements in regard to Floodplain Information to Be Submitted with Land Development Actions, with new requirements in regard to Floodplain Information to Be Submitted with Land Development Applications.
 - Establish new, and clarify, revise, and/or delete existing, requirements in regard to Floodplain Alterations, to include, without limitation, requirements in regard to Procedures for Flood Alterations, FEMA approval of Floodplain Alterations that propose any increase in the base flood elevation within the FOD (Major Floodplain), cartographic interpretations pursuant to Section 6-407 of the Zoning Ordinance concurrent with the approval of Floodplain Alterations that propose changes to the boundaries of the FOD, recordation of an instrument among the land records of Loudoun County prior to the approval of a Floodplain Alteration proposing off-site changes to boundaries of the FOD, and Engineering and Environmental Criteria for Floodplain Alterations.
 - Replace existing requirements in regard to Grading Plans and Construction Plans and Profiles required, with new requirements in regard to Zoning Permit Required, to include, without limitation, approval of a Zoning Permit for all development (including substantial improvements) within the FOD (Major Floodplain), and additional requirements specific to such Zoning Permits.
- Establish new FOD Development Standards, to include, without limitation, the following:

- For all development located within the FOD (Major Floodplain), General Development Standards that shall apply to all new construction or substantial improvement of residential and/or non-residential structures and buildings in order to minimize flood damage and infiltration of flood waters, to include, without limitation, requirements in regard to additional elevation of lowest floors, flood-proofing, use of materials and utility equipment that are resistant to flood damage, use of construction methods and practices that minimize flood damage, designs that prevent water from entering or accumulating within electrical, heating, ventilation, plumbing, air conditioning or other service facilities; designs that minimize or eliminate infiltration of flood waters into and/or discharges from water supply and sanitary sewer systems, locating on-site waste disposal systems to avoid impairment or contamination during flooding, permits from the United States Army Corps of Engineers and Virginia Department of Environmental Quality, and prohibition on development that adversely affects the water carrying capacity of a channel or watercourse.
- For all development located within the FOD (Major Floodplain), Space Below the Lowest Floor requirements that shall apply to certain areas of new construction or substantially improved structures that are below the base flood elevation, to include, without limitation, requirements in regard to prohibition of use of such areas for human habitation, permitted uses of such areas, use of flood resistant materials for construction, and design measures that allow for the entry and exit of floodwaters.
- Standards for Recreational Vehicles that shall apply to recreational vehicles located within the FOD (Major Floodplain), to include, without limitation, requirements in regard to the length of time such vehicles may be located within the FOD, licensing of such vehicles, use of such vehicles' wheels or jacking systems, use of quick disconnect type utilities and security devices, and prohibitions on permanently attached additions.
- Standards for Subdivision Proposals that shall apply to any subdivision of a parcel that includes FOD (Major Floodplain) in order to minimize flood hazards and flood damage.
- A Variation process by which the Board of Supervisors may approve a variation of certain FOD Development Standards for certain development within the FOD (Major Floodplain) that does not cause any increase in the base flood elevation, to include, without limitation, requirements in regard to the following:
 - Limitation on the use of such Variations to certain lots 0.5 acre or less in size that meet certain locational requirements and certain repair and rehabilitation of historic structures.
 - Applications for such Variations.
 - Issues for consideration for such Variations.
 - Findings for approval of such Variations.
 - Notice of approval for such Variations.
- Establish new, and clarify, revise, and/or delete existing, regulations in regard to Density Calculations to permit the land area in any portion of the FOD to be included for purposes of calculating permitted density (floor area ratio or number of residential units).

Description of Proposed Amendments to Section 6-1000 et seq., Zoning Permits:

- Amend Section 6-1000, *Zoning Permits*, to establish new, and clarify, revise, and/or delete existing regulations as may be necessary to require a Zoning Permit for all development (including substantial improvements) within the FOD (Major Floodplain)

Description of Proposed Amendments to Section 6-1600 et seq., Variances:

- Amend Section 6-1603, *Unauthorized Variance*, to replace an existing reference to "floodway" with "FOD (Major Floodplain)"

Description of Proposed Amendments to Article 8, Definitions:

- Establish new, and clarify, revise, and/or delete existing definitions with County-wide applicability as may be necessary to fully implement and to maintain consistency with the foregoing amendments.

The public purposes of these amendments are to achieve the purposes of zoning as set forth in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia, including, without limitation, furtherance of the public necessity, convenience, general welfare and good zoning practice and facilitating the creation of a convenient, attractive, and harmonious community.

SPEX 2014-0019 & CMPT 2014-0005
VERIZON WIRELESS CONKLIN GRID
(Special Exception and Commission Permit)

Cellco Partnership (d/b/a Verizon Wireless) of Annapolis Junction, Maryland, has submitted applications for a Special Exception and Commission approval to modify the conditions of approval and special exception plat associated with SPEX-1993-0002 and CMPT-1993-0001, Cellular One Conklin Grid Site, to permit the construction of a 10-foot extension to the top of an existing 150-foot monopole, associated equipment shelters, and a 1,960 square foot expansion of the base compound, in the TR-3LF (Transitional Residential-3) zoning district. This application is subject to the Revised 1993 Zoning Ordinance and the proposed use is listed as a Special Exception use under Table 2-1502 of Section 2-1502, subject to the Additional Regulations set forth in Section 5-618(B), and Section 5-618(B)(2), and requires a Commission Permit in accordance with Sections 5-618(B)(3) and 6-1101. The subject property located partially within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60 aircraft noise contour. The area of the proposed Special Exception and Commission Permit is an approximately 4.6-acre portion of a 59.41-acre parcel that is located on the east side of Gum Spring Road (Route 659) and on the north and south sides of Braddock Road (Route 620), at 25626 and 25742 Gum Spring Road, Chantilly, Virginia, in the Dulles Election District. The subject property is more particularly described as Tax Map Number 105////////20/ (PIN# 206-19-1366). The area is governed by the policies of the Revised General Plan (Transition Policy Area (Lower Foley Subarea)), and the Strategic Land Use Plan for Telecommunications Facilities, which designate this area for uses that provide a visual and spatial transition between the Suburban Policy Area to the east and the Rural Policy Area to the west.

WORKSESSION FOLLOWING THE PUBLIC HEARING:

1. ZMAP 2014-0008, SPEX 2014-0013, SPEX 2014-0014, Whitman Property – South

Except as noted in the individual notices above, full and complete copies of the above-referenced amendments, applications, ordinances and/or plans, and related documents may be examined in hard copy at the Loudoun County Department of Building and Development, County Government Center, 1 Harrison Street, S.E., 2nd Floor, Leesburg, Virginia, from 9:00 AM to 4:30 PM, Monday through Friday or call 703-777-0220, or electronically at www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. Additionally, documents may be viewed and downloaded electronically the week before the hearing at www.loudoun.gov/pc. The Planning Commission will conduct a briefing session on the above-referenced application(s); please see the Planning Commission calendar for the exact date and time. For further information, contact the Department of Planning and Zoning at 703-777-0246.

Citizens are encouraged to call in advance to sign up to speak at the public hearing. If you wish to sign up in advance of the hearing, please call the Department of Planning and Zoning at 703-777-0246 prior to 12:00 PM on the day of the public hearing. Speakers may also sign up at the hearing. Written comments are welcomed at any time and may be sent to the Loudoun County Planning Commission, 1 Harrison Street, S.E., 3rd Floor, MSC #62, Leesburg, Virginia 20175, or by e-mail to loudounpc@loudoun.gov. If written comments are presented at the hearing, please provide ten (10) copies for distribution to the Commission and the Clerk's records. All members of the public will be heard as to their views pertinent to these matters. Any individual representing and/or proposing to be the sole speaker on behalf of a citizen's organization or civic association is encouraged to contact the Department of Planning and Zoning prior to the date of the public hearing if special arrangements for additional speaking time and/or audio-visual equipment will be requested. Such an organization representative will be allotted 6 minutes to speak, and the Chairman may grant additional time if the request is made prior to the date of the hearing and the need for additional time is reasonably justified.

Citizens are encouraged to call the Department of Planning and Zoning on the day of the public hearing to confirm that an item is on the agenda, or, the most current agenda may be viewed on the Planning Commission's website at www.loudoun.gov/pc. If the public hearing is cancelled due to inclement weather, the public hearing will be moved to Thursday of the same week at the same place and time unless otherwise announced. If that Thursday is a holiday or the Thursday public hearing is cancelled due to inclement weather, the public hearing will be moved to Tuesday of the next week at the same place and time unless otherwise announced.

Hearing assistance is available for meetings in the Board of Supervisors' Meeting Room. FM Assistive Listening System is available at the meetings at all other locations. If you require any type of reasonable accommodation as a result of a physical, sensory or mental disability to participate in this meeting, contact the Department of Planning and Zoning at 703-777-0246. Please provide three days' notice.